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May 16, 2003

Wisconsin Medicaid Family Planning Waiver Providers

Dear Provider:

As you are aware, the Legislature's Joint Committee for Review of Administrative Rules voted 6-4, on April 30, 2003, to suspend emergency rules for the Medicaid Family Planning Waiver Program. Despite the suspension of the emergency rules, the Department is legally required to continue to implement the Waiver. The 1997-99 Biennial Budget Act, created s. 49.45(24r), Stats., which provides:

Family planning demonstration project. The department shall request a waiver from the secretary of the federal department of health and human services to permit the department to conduct a demonstration project to provide family planning services, as defined in s. 253.07 (1) (b), under medical assistance to any woman between the ages of 15 and 44 whose family income does not exceed 185 percent of the poverty line for a family the size of the woman's family. If the waiver is granted and in effect, the department shall implement the waiver no later than July 1, 1998, or on the effective date of the waiver, whichever is later.

The Department is bound by this state statute to implement the Medicaid Family Planning Waiver. The Department will continue to do so unless and until legislation is signed into law that directs the Department otherwise.

The Department continues to support the Medicaid Family Planning Waiver and considers this approach to prevent unintended pregnancies sound public policy.

Sincerely,

A handwritten signature in black ink that reads "Mark B. Moody".

Mark B. Moody
Administrator

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